

Complaint Exhibit S

Subject: RE: Administrative appeal for Oct. 7 and Nov. 15 FOIA requests
Date: Monday, December 5, 2022 at 2:42:31 PM Eastern Standard Time
From: USARMY West Point ID-Training Mailbox FOIA-PA
To: Eberly, Kelsey, abigail.howard@westpoint.edu
CC: Stich, Stephen, Daniel Libit, Henry Ishitani, Julia Peoples, Samantha Stroman
Attachments: image001.png

Good afternoon Ms. Eberly,

First, I have no written release from Mr. Libit regarding speaking with you about any potential FOIA requests to wit as a third party requester. You would need to provide a written and signed statement from Mr. Libit as he is the original requester. You may submit your own FOIA request for information regarding Mr. Libit.

Secondly, you are confusing two separate organizations, the garrison at West Point which falls under the Freedom of Information Act and the Army West Point Athletic Association that is a private 503c which does not have to respond to FOIA requests.

Please remit written and signed correspondence from Mr. Libit informing this FOIA office if we may release any information to you on his behalf.

V/R,
James J. Bradbury
Management Assistant/FOIA Officer
Installation Management Command
Building 646, Room 1
West Point ,NY
DESK: 845-938-7313
DSN: 688-7313
HOURS: Monday-Friday 0800-1200 , 1300-1600

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From: Eberly, Kelsey <kelsey.eberly@yale.edu>

Sent: Monday, December 5, 2022 11:51 AM

To: USARMY West Point ID-Training Mailbox FOIA-PA <usarmy.westpoint.id-training.mbx.foia-pa@army.mil>; abigail.howard@westpoint.edu

Cc: Stich, Stephen <stephen.stich@yale.edu>; Daniel Libit <djlibit@gmail.com>; Henry Ishitani <henry.ishitani@YLSClinics.org>; Julia Peoples <julia.peoples@YLSClinics.org>; 'Samantha Stroman' <samantha.stroman@YLSClinics.org>

Subject: [Non-DoD Source] Administrative appeal for Oct. 7 and Nov. 15 FOIA requests

Dear Mr. Bradbury and Ms. Howard,

Please find attached an administrative appeal of the United States Military Academy's and the Army West Point Athletic Association's denials (or partial denial) of the FOIA requests made by our client, reporter Daniel Libit, on October 7, 2022 and November 15, 2022, respectively.

Could you direct this appeal to the relevant authority, or provide us with the name and title of the Initial Denial Authority (IDA) so that we may do so?

Kind regards,

Kelsey

Kelsey R. Eberly

Clinical Lecturer | Abrams Fellow

Media Freedom & Information Access Clinic

Yale Law School

609-744-4359

(she/her/hers)

